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OFFICIAL

Company: USPTO TC2800

From: Wendy W. Koba

Attention: Jeffrey N. Zahn

Pages including cover sheet: 8

Fax No.: 703-872-9318

Date: 10/7/03

Re: Serial No. 09/826,237

☒ Urgent ☐ Please review ☐ Please Comment ☐ Please Reply ☐ For your information

Case Name: Capasso 65-104-1-19-28-7-34-13

Serial Number: 09/826,237

Filing Date: April 4, 2001

Group Art Unit: 2828

Examiner: Jeffrey N. Zahn

Title: Technique for Measuring Intersubband Electroluminescence in a Quantum Cascade Laser

In response to a non-final office action dated July 14, 2003, attached please find the following documents:

1. Transmittal Form (1 page)
2. Certificate of Facsimile Transmission under 37 CFR 1.8 (1 page)
3. Claims as amended (1 page)
4. Amendment (4 pages)

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OCT 07 2003

Respectfully submitted,

*Wendy W. Koba*

Wendy W. Koba, Esq.

PTO/SB/21 (05-03)

Approved for use through 04/30/2003, OMB 0551-003

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> <small>(to be used for all correspondence after initial filing)</small>	Application Number	09/826,237
	Filing Date	April 4, 2001
	First Named Inventor	Capasso
	Art Unit	2828
	Examiner Name	Jeffrey N. Zahn
Total Number of Pages in This Submission	Attorney Docket Number	65-104-T-19-28-7-34-13

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	1. FAX Cover Sheet
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	2. Cert. of transmission
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	Under 37 CFR 1.8
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	3. Claims As Amended
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Wendy W. Koba	
Signature	Wendy W. Koba	
Date	10/7/03	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name	Wendy W. Koba	
Signature	Wendy W. Koba	Date 10/7/03

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/97 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## Certificate of Transmission under 37 CFR 1.8

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Wendy W. Koba  
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Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

1. Fax Cover Sheet (1 page)
2. claims As Amended (1 page)
3. Amendment (4 pages)

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICECASE *Capasso 65-104-1-19-28-7-34-13*SERIAL NO. *09/826,237*GROUP ART UNIT *2828*FILED *April 4, 2001*EXAMINER *Jeffrey N. Zahn*TITLE *Technique for Measuring Intersubband  
Electroluminescence in a Quantum Cascade Laser*

COMMISSIONER OF PATENTS

PO Box 1450

Alexandria, VA 22313-1450

SIR

Enclosed is an amendment in the above-identified application:

[ ☒ ] No additional fee is required, as shown below.CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL CLAIMS FOR FEE PURPOSES	<i>4</i>	MINUS	<i>11</i>	<i>0</i>	X \$18	<i>0</i>
INDEPENDENT CLAIMS	<i>1</i>	MINUS	<i>2</i>	<i>0</i>	X \$84	<i>0</i>
MULTIPLE DEPENDENT CLAIM(S) First presented with this amendment, if applicable					X\$280	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						<i>\$ 0</i>

Please address all correspondence to Wendy W. Koba, P.O. Box 556, Springtown, PA 18081-0556.

Respectfully,

*Wendy W. Koba*

Wendy W. Koba

Reg. No. 30509

Attorney for Applicant(s)

610-346-7112

Date: *10/7/03*

Capasso 65-104-1-19-28-7-34-13

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

## Patent Application

Inventor(s) Federico Capasso  
Alfred Yi Cho  
Raffaele Colombelli  
Claire F. Gmachl  
Albert Lee Hutchinson  
Arthur Mike Sergeant  
Deborah Lee Sivco  
Alessandro Tredicucci

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OCT 07 2003

Case 65-104-1-19-28-7-34-13

Serial No. 09/826,237

Group Art Unit 2828

Filing Date April 4, 2001

Examiner Jeffery N. Zahn

Title Technique for Measuring Intersubband Electroluminescence in  
a Quantum Cascade Laser

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VA 22313-1450

SIR:

AMENDMENT

In response to the Office action dated July 14, 2003 (application Paper No. 9),  
please amend the above-identified application as follows:

OFFICIAL